



RECEIVED
CENTRAL FAX CENTER
OCT 24 2005

Date:

October 24, 2005

Fax Number:

(571) 273-8300

To:

MAIL STOP PETITIONS, U.S. P.T.O.

From:

A handwritten signature of Jeff Proehl, consisting of a stylized 'J' and 'P' followed by 'Jeff Proehl'.

Robert K. Huck

A handwritten signature of Cheryl Edbom, consisting of a stylized 'C' and 'E' followed by 'Cheryl Edbom'.

Other: _____

RE: Appln. No. 10/016,585 Filing Date: 10/22/2001 Applicant J. WUGOFSKI

1) PETITION TO REINSTATE UNDER 37 CFR 1.157(b)

2) AMENDMENT 3) TERMINAL DISCLAIMER

Total Number of Pages (Including cover sheet): 16 (Please call us as soon as possible if you do not receive all pages).Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to FAX No. (403) (571)273-8300 on the 24 of OCTOBER, 2005.

A handwritten signature of Jeff Proehl, identical to the one above.

Signature

A handwritten signature of Jeffrey A. Proehl, consisting of a stylized 'J' and 'P' followed by 'Jeffrey A. Proehl'.

Printed Name

PRIVILEGE AND CONFIDENTIALITY NOTICE

The information contained in this fax message is privileged and confidential information intended only for the use of the individual or entity named below. If the reader of this fax message is not the intended recipient, or the employee agent responsible to deliver to the intended recipient, you are hereby on notice that you are in possession of the confidential and privileged information. Any dissemination, distribution or copying of this communication is strictly prohibited. You will immediately notify the sender by telephone of your inadvertent receipt. Return the original fax message to sender at the address herein given via the United States Postal Service.

Leonard & Proehl, Prof. L.L.C.

3500 South First Avenue Circle
Suite 250
Sioux Falls, SD 57105-5802

(605) 339-2028

Fax - (605) 336-1931

www.getIPnow.com

RECEIVED
CENTRAL FAX CENTER

OCT 24 2005

Attorney's Docket No. 25-0079
Client's Docket No. P1328US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 10/016,585)
First Named Applicant: THEODORE D WUGOFSKI)
Filed: 10/22/2001)
For: PROGRAMMABLE GRAPHICAL USER INTERFACE)
CONTROL SYSTEM AND METHOD)
TC/A.U.: 2173)
Examiner: Vu, Kieu D)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION
UNDER THE PROVISIONS OF 37 C.F.R. 1.137(B)**

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on July 26, 2004, which set a three month shortened statutory period for response. The abandonment date of this application was October 27, 2004.

Applicant's attorneys respectfully petition the Assistant Commissioner for Patents to revive the above-identified application under the provisions of 37 C.F.R. 1.137 on the ground that the delay causing the abandonment of the above-identified application was unintentional.

Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional.

Page 1 of 2

Per PTO Rule 137(b), enclosed with this Petition to Revive and above statement that the delay was unintentional is:

- a) an "Amendment" responsive to the Office Action dated July 16, 2004; and
- b) a Terminal Disclaimer submitted in connection with the Amendment.

The Commissioner is hereby authorized to charge the petition fee in the sum required under 37 C.F.R. § 1.17(m) to Deposit Account No. 50-0439 (Gateway, Inc.), as well as charge any additional fees or credit any overpayments.

The revival of the subject patent application from abandonment is respectfully requested, and an indication of the allowability of the claims of the application courteously solicited.

Respectfully submitted,

LEONARD & PROEHL, Prof. L.L.C.

By  Date: Oct 24, 2005
Jeffrey A. Proehl (Reg. No. 35,987)
LEONARD & PROEHL, Prof. L.L.C.
3500 South First Avenue Circle, Suite 250
Sioux Falls, SD 57105-5807
(605)339-2028 FAX (605)336-1931